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101ST CONGRESS *1st Session* | SENATE | REPORT 101-88

# COMMEMORATING THE CONTRIBUTIONS OF SENATOR CLINTON P. ANDERSON TO THE ESTABLISHMENT OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM

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JULY 27 (legislative day, JANUARY 3), 1989.—Ordered to be printed

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Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

## REPORT

[To accompany S. 818]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 818) to authorize a study on methods to pay tribute to the late Senator Clinton P. Anderson of New Mexico for his significant contributions to the establishment of a national wilderness system, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 2, line 8, strike "first designated wilderness" and insert in lieu thereof "first administratively-designated wilderness".

2. On page 3, delete Sections 2 and 3 in their entirety and insert in lieu thereof:

**SEC. 2. DESIGNATION OF OVERLOOK.**

In recognition of the significant role Senator Anderson played in the enactment of the Wilderness Act, the Secretary of Agriculture is authorized and directed to rename the existing Copperas Vista, located on the Gila National Forest in New Mexico, as the "Senator Clinton P. Anderson Wilderness Overlook" and to erect appropriate signs, interpretive facitities, monuments, or plaques commemorating Senator Anderson's contribution to the National Wilderness Preservation System.

3. Amend the title so as to read:



S313-20

A bill to commemorate the contributions of Senator Clinton P. Anderson to the establishment of the National Wilderness Preservation System; and for other purposes.

## PURPOSE OF THE MEASURE

The purpose of S. 818, as ordered reported, is to rename the existing Copperas Vista, located in the Gila National Forest in New Mexico, as the "Senator Clinton P. Anderson Wilderness Overlook" in honor of Senator Anderson's contributions to the establishment of the National Wilderness Preservation System.

## BACKGROUND AND NEED

Clinton Anderson had a long and distinguished career in Government service. He was elected to three terms in the House of Representatives, before leaving the House to serve as Secretary of Agriculture. Following his tenure as a Cabinet Secretary, he served four terms in the United States Senate. While in the Senate, he was the chairman of the Senate Interior and Insular Affairs Committee (now the Committee on Energy and Natural Resources), chairman of the Aeronautic and Space Sciences Committee, and chairman of the Joint Committee on Atomic Energy.

One of his most important contributions was the pivitol role he played in the establishment of the National Wilderness Preservation System. Early in the 88th Congress, Senator Anderson introduced the bill that ultimately became the Wilderness Act. Senator Anderson played a major role in shaping and resolving the debate that had been ongoing for 16 years. In 1964, President Johnson signed the Wilderness Act, which declared that it be "the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness." Now, 25 years later, nearly 91 million acres are protected as part of the National Wilderness Preservation System.

S. 818, as ordered reported, would authorize and direct the Secretary of Agriculture to rename Copperas Vista, located in the Gila National Forest in New Mexico, as the "Senator Clinton P. Anderson Wilderness Overlook" and to erect appropriate signs, facilities, monuments or plaques commemorating Senator Anderson's contribution to the National Wilderness Preservation System. This site is particularly appropriate since the first unit of the National Wilderness Preservation System was designated in the Gila National Forest.

## LEGISLATIVE HISTORY

S. 818 was introduced by Senators Bingaman and Domenici on April 18, 1989. A hearing was held before the Subcommittee on Public Lands, National Parks and Forests on June 21, 1989.

At the business meeting on July 19, 1989, the Senate Committee on Energy and National Resources ordered S. 818, as amended, favorably reported.

## COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on July 19, 1989, by unanimous vote of a

quorum present, recommends that the Senate pass S. 818 if amended, as described herein.

The rollcall vote on reporting the measure was 18 yeas, 0 nays, as follows:

| YEAS | NAYS |
|---|---|
| Mr. Johnson | |
| Mr. Bumpers | |
| Mr. Ford [1] | |
| Mr. Metzenbaum [1] | |
| Mr. Bradley | |
| Mr. Bingaman [1] | |
| Mr. Wirth | |
| Mr. Conrad | |
| Mr. Heflin | |
| Mr. McClure | |
| Mr. Hatfield | |
| Mr. Domenici | |
| Mr. Wallop [1] | |
| Mr. Murkowski | |
| Mr. Nickles | |
| Mr. Burns | |
| Mr. Garn [1] | |
| Mr. McConnell [1] | |

[1] Indicates voted by proxy.

## COMMITTEE AMENDMENTS

As introduced, S. 818 directed the Secretary of Agriculture to conduct a study to determine the most appropriate method of commemorating Senator Anderson's contribution to the enactment of the Wilderness Act. During consideration of S. 818, the Committee adopted an amendment which struck language providing for the study and replaced it with specific direction to the Secretary to rename the Copperas Vista, in the Gila National Forest in New Mexico as the "Senator Clinton P. Anderson Wilderness Overlook". The Committee understands that both the Forest Service and Senator Anderson's family feel that renaming the Copperas Vista to bear Senator Anderson's name would be a fitting and appropriate tribute to him. Under the circumstances, the Committee did not think that further study was needed.

## COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, July 21, 1989.*

Hon. J. BENNETT JOHNSTON, Jr.,
*Chairman, Committee on Energy and Natural Resources,*
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 818, a bill to authorize a study on methods to pay tribute to the late Senator Clinton P. Anderson of New Mexico for his sig-

nificant contribution to the establishment of a national wilderness system. The bill was ordered reported by the Senate Committee on Energy and Natural Resources on July 19, 1989. We estimate that enactment of this bill would result in no significant costs to the federal government.

S. 818 would direct the Secretary of Agriculture to rename the Copperas Vista on the Gila National Forest in New Mexico as the Senator Clinton P. Anderson Overlook. The Secretary would also be authorized to erect signs and other facilities at the site to commemorate Senator Anderson's contribution to the National Wilderness Preservation System.

The Forest Service has indicated that it would cost about $3,000 to carry out the work authorized in the bill. This work is expected to be completed by September 1989. We do not expect enactment of this bill to result in any other costs to the federal government or to state or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Theresa Gullo, who can be reached at 226–2860.

Sincerely,

ROBERT D. REISCHAUER,
*Director.*

## REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 818. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact of personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 818, as reported.

## EXECUTIVE COMMUNICATIONS

On June 7, 1989, the Committee on Energy and Natural Resources requested legislative reports from the Department of Agriculture, Department of the Interior and the Office of Management and Budget setting forth executive views on S. 818. These reports had not been received at the time the report on S. 818 was filed. When the reports become available, the chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Department at the Subcommittee hearing follows:

STATEMENT OF JEFF M. SIRMON, DEPUTY CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the subcommittee, thank you for the opportunity to offer the Department of Agriculture's views on S. 818 and S. 940.

S. 818 would authorize and direct the Secretary of Agriculture to conduct a study of the most appropriate method of commemorating the late Senator Clinton P. Anderson's contribution to the establishment of a national wilderness system.

S. 940 would designate segments of the East Fork of the Jemez River and the Pecos River as components of the National Wild and Scenic Rivers System.

S. 818—STUDY OF METHODS TO PAY TRIBUTE TO THE LATE SENATOR CLINTON P. ANDERSON

The late Clinton P. Anderson served as a member of the Senate from 1949 to 1973. In 1963, Senator Anderson introduced S. 4, a bill to establish a National Wilderness Preservation System. Later that same year, the Committee he chaired, the Senate Committee on Interior and Insular Affairs, conducted hearings and reported the bill, which eventually became P.L. 88-577, the Wilderness Act of 1964. This culminated an effort that Congress began in 1949—15 years earlier. Few proposals in American legislative history have had more thorough study than S. 4 and its predecessor bills.

Senator Anderson's role during enactment of the Wilderness Act was significant, and commemoration of his contribution is appropriate. However, rather than conduct a study, we prefer to work with the sponsors of S. 818 and Senator Anderson's family to agree upon an appropriate site or facility to bear Senator Anderson's name. S. 818 could be amended to reflect any agreement we reach.

One alternative would be to redesignate the Copperas Vista on the Clinton P. Anderson Highway as the "Clinton P. Anderson Vista." Copperas Vista overlooks much of the Gila Wilderness, which was the first wilderness area designated in the United States. We believe this is an appropriate site and an appropriate method for recognizing Senator Anderson's contributions to the National Wilderness Preservation System. If redesignated, we would install new signs and a permanent brass plaque that would acknowledge Senator Anderson's efforts. We would also be willing to consider other sites or facilities.

S. 940—EAST FORK OF THE JEMEZ RIVER AND THE PECOS RIVER

In regard to S. 940, the Department of Agriculture recommends its enactment.

In the arid Southwest, perennial streams are somewhat rare and are very valuable for recreation and other uses.

The East Fork of the Jemez River originates in the Valles Caldera, which essentially formed the entire Jemez

Mountain complex. The river and surrounding area are popular for fishing, swimming, hiking, camping, and rock climbing. A hiking trail has been recently constructed through a portion of the river canyon. Las Conchas Campground is located along the river. Three highway crossings provide easy access for the public. The river and canyon are within the feeding zone of the endangered peregrine falcon. The Jemez Mountain Salamander, which is unique to the Jemez Mountains, is found in the river corridor.

The Pecos River originates in the Pecos Wilderness. The river corridor has outstanding scenic values, including rugged granite canyons and waterfalls interspersed with small high mountain meadows that are surrounded by forests of spruce, aspen, and other species. The Pecos is one of the State's more popular trout streams, and is also popular for hunting, sightseeing, and hiking.

Both the Jemez and the Pacos were identified as potential Wild and Scenic Rivers in the Nationwide Rivers Inventory published by the National Park Service in 1982.

Following several years of study and consultation with local agencies and the public, the Santa Fe National Forest Land and Resoure Management Plan was approved September 4, 1987. This Plan recommends designation of segments of both the Jemez and Pecos.

The Plan recommends designation of the same segment of the Pecos that S. 940 would designate. However, it recommends designation of only 9 miles of the Jemez. The 2-mile segment of the Jemez from the National Forest boundary to the second crossing of New Mexico State Highway 4 has outstandingly remarkable values, and is therefore eligible for designation. It was not recommended for designation, however, because it contains one-tenth of a mile of private land with several buildings, as well as two highway crossings. In consultation with all affected individuals and landowners, the Forest Supervisor recently reconsidered this recommendation, and, as a result, we now support the designation of this segment of the Jemez. We are now amending the Forest Plan to recommend designation of the entire 11-mile segment.

While we support enactment of S. 940, we have, in an enclosed Supplemental Statement, provided the Committee with alternative language for your consideration. We believe this language would better define the river segments and clarify our administrative responsibility. Our alternative language would not alter the on-the-ground designations proposed by S. 940.

Mr. Chairman, this concludes my testimony. I would be happy to answer any questions you may have.

## SUPPLEMENTAL STATEMENT

A BILL TO DESIGNATE SEGMENTS OF THE EAST FORK OF THE JEMEZ RIVER AND THE PECOS RIVER AS COMPONENTS OF THE NATIONAL WILD AND SCENIC RIVER SYSTEM, AND FOR OTHER PURPOSES.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "East Fork of the Jemez River and the Pecos River Wild and Scenic Rivers Addition Act of 1989".

**SEC. 2. WILD AND SCENIC RIVER DESIGNATION.**

Section 3(a) of the Wild and Scenic Rivers Act (82 Stat. 906; 16 U.S.C. 1274(a)) is amended by adding the following new paragraphs:

"( ) EAST FORK OF THE JEMEZ, NEW MEXICO.—The 11-mile segment from the Santa Fe National Forest boundary to its confluence with the Rio San Antonio; to be administered by the Secretary of Agriculture in the following classifications:

"(1) the 2-mile segment from the Santa Fe National Forest boundary to the second crossing of State Highway 4, near Las Conchas Trailhead, as a recreational river; and

"(2) the 4-mile segment from the second crossing of State Highway 4, near Las Conchas Trailhead, to the third crossing of State Highway 4, approximately one and one-quarter mile upstream from Jemez Falls, as a wild river; and

"(3) the 5-mile segment from the third crossing of State Highway 4, approximately one and one-quarter mile upstream from Jemez Falls, to its confluence with the Rio San Antonio, as a scenic river.

"( ) PECOS RIVER, NEW MEXICO.—The 20.5-mile segment from its headwaters to the townsite of Tererro; to be administered by the Secretary of Agriculture in the following classifications:

"(1) the 13.5-mile segment from its headwaters to the Pecos Wilderness boundary, as a wild river; and

"(2) the 7-mile segment from the Pecos Wilderness boundary to the townsite of Tererro, as a recreational river.".

### CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 818, as reported.

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